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8 *Attorney for Defendant LEON BENZER*

9  
10 **UNITED STATES DISTRICT COURT**  
11  
12 **DISTRICT OF NEVADA**

13 UNITED STATES OF AMERICA, ) 2:13-cr-0018-JCM-GWF  
14 Plaintiff, ) 2:13-cr-0174-JAD-CWH  
15 v. )  
16 LEON BENZER, ) **STIPULATION TO CONTINUE**  
17 Defendant. ) **THE TIME WITHIN WHICH TO**  
18 ) **FILE THE OBJECTIONS TO THE**  
19 ) **PRESENTENCE INVESTIGATION**  
20 ) **REPORT AND SENTENCING**  
21 ) **MEMORANDUM**

22 **IT IS HEREBY STIPULATED AND AGREED**, by and between Andrew Weissmann,  
23 Chief, U.S. Department of Justice, Criminal Division, Fraud Section, and Charles La Bella, Deputy  
24 Chief, counsel for the United States of America, and Daniel J. Albregts, Esq., counsel for defendant  
25 LEON BENZER, that the time within which to file the objections to the Presentence Investigation  
26 Report and Sentencing Memorandum from Thursday, July 30, 2015 to Monday, August 3, 2015.

27 This stipulation is entered into for the following reasons:

28 1. As alluded to in budgeting documents submitted to the Court, there was a distinct division  
29 of labor between co-counsel for Benzer. Specifically, attorney Franny Forsman was assigned the  
30 task of preparing and writing the sentencing memorandum in anticipation of the sentencing hearing.  
31 Thus, Ms. Forsman has focused her attention on this task while attorney Albregts has been preparing  
32 other matters related to the sentencing hearing.

33 2. On Sunday, July 26, 2015 Ms. Forsman's father passed away. Ms. Forsman was the only  
34 remaining relative of her father who could deal with the coroner and other issues related to his death.  
35 As a result, Ms. Forsman had to travel to Northern California and was unable to work on the

1 sentencing memorandum during this time.

2       3. Ms. Forsman has returned to Las Vegas and continues to diligently work on the sentencing  
3 memorandum. However, as a result of her father's death and responsibilities related to that, she is  
4 unable to complete the sentencing memorandum and have it filed by the currently scheduled date of  
5 Thursday, July 30, 2015.

6       4. This brief continuance will allow the defense sufficient time to adequately prepare and  
7 file the defendant's objections to the Presentence Investigation Report and the sentencing  
8 memorandum while allowing the sentencing to occur on the currently scheduled date.

9       5. Failure to grant this request could result in a miscarriage of justice. Further, this request  
10 is not made for the purposes of delay but is simply made as a result of the unforeseeable death of Ms.  
11 Forsman's father and the work attendant to deal with that situation.

12       6. Defense counsel has spoken with government counsel and outlined some of the issues  
13 which will be raised in the sentencing memorandum so that government counsel is at least aware of  
14 issues that will be raised. They therefore should have adequate time to prepare to address the issues  
15 raised in the sentencing memorandum at the time of the currently scheduled sentencing hearing.

16                     DATED this 30<sup>th</sup> day of July, 2015.

17                     ANDREW WEISSMANN  
18                     Chief, U.S. Department of Justice  
18                     Fraud Section, Criminal Division

19                     /s/ Charles La Bella  
20                     CHARLES LA BELLA  
21                     Deputy Chief, U.S. Dept. Of Justice  
21                     Criminal Division, Fraud Section

DANIEL J. ALBREGTS, LTD.

22                     /s/ Daniel J. Albregts  
23                     DANIEL J. ALBREGTS, ESQ.  
24                     Counsel for Defendant BENZER

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3                   UNITED STATES DISTRICT COURT  
4                   DISTRICT OF NEVADA  
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6       UNITED STATES OF AMERICA,                   ) 2:13-cr-0018-JCM-GWF  
7                          Plaintiff,                      )  
8                          )  
9       v.                                              )  
10                          LEON BENZER,                 )  
11                          Defendant.                    )  
12                                                        

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13                                                           **ORDER**  
14

15                                                       Based upon the attached Stipulation of the parties, and good cause appearing,  
16                                                           **IT IS THEREFORE ORDERED** that defendant Benzer shall have until Monday, August  
17                                                           3, 2015 within which to file objections to the Presentence Investigation Report and Sentencing  
18                                                           Memorandum.  
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20                                                       DATED July 30, 2015.  
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24                                                           UNITED STATES DISTRICT JUDGE  
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